

ORIGINAL

34 (S)

UNITED STATE DISTRICT COURT
For the Eastern District of NY

CV 06 2235

Sun-Ming Sheu
Ming-Chien Hsu

Plaintiffs

Vs

Case number: ROSS, J.
Jury trial demanded

Centex Home Equity
Part of the financial services group of Centex Corp.
Dallas, Texas.

Defendant

Complaint

100M ALL

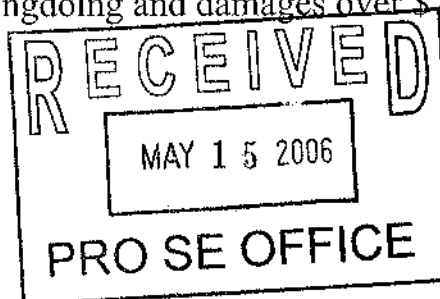
JURISDICTION VENUE

Plaintiffs bring this action Pursuant to

1. US Code Title 18 Chapter 47/1005
2. US Code Title 18 Chapter 47/1001
3. US Code Title 18, Chapter 79/1621
4. US Code Title 18 Chapter 47/1021,

Plaintiffs, Ming-Chien Hsu & Sun-Ming Sheu

are brothers, living in Flushing, NY. We hired a mortgage
broker to refinance, while waiting for it to complete, the crime
happened. NYS, Queens Criminal court has sentenced two of
the criminals, but Defendant and Defendant's employee still need
to responsible for unlawful wrongdoing and damages over \$75,000.00.



Defendant Centex Home Equity,Dallas,Texas, Part of the financial services group of Centex Corporation, doing business nationwide,main office in Dallas,Texas.

FACTUAL BASIS FOR CMPLAINT

Count 1

Violation of US Code Title 18,Chapter 47§ 1005

False bank entries, bank reports, statement and transaction

“Whoever makes any false entry in any book, report, or statement of such bank, company, branch, agency, or organization with intent to injure or defraud such bank, company, branch, agency, or organization, or any other company, body politic or corporate, or any individual person,” Shall be fined not more than \$1,000,000 or imprisoned not more than 30 years, or both.

1. Defendant and defendant's loan officier,closing officier, foreclosure manager, collection manager, counsel conspired and committed mortgage fraud scheme to steal Plaintiff's property and willfully, intentionally and knowingly, fraudulent conveyance Plaintiff's property to a fake identity, a “straw buyer” Amy Cheng . After Plaintiffs presented NYPD incident report and complaint about crime to Defendant's head office and Counsel in NY ,Brooklyn, Defendant willfully, intentionally and knowingly sweep this crime under the rug ,

never notified the FBI or filed criminal complaint to any law Enforcement, although Defendant also loss money because of Defendant's loan officers, closing officers, counsel co-conspired with the criminals, Defendant intentionally cover up this crime and intentionally fraudulent conveyance, recorded Plaintiff's stolen property Deed to the fake buyer in NY City Register to Amy Cheng" in 1/10/2001, after crime happened 6 months. Then willfully, intentionally and knowingly submitted false statement on affidavits to apply "Non-Payment "Summary Judgment" in NYS Supreme court.

2. Defendant's loan officer, counsel puts forth a loan to a fake identity "Amy Cheng" ,a/k/a Wang, Jin-Rong based on her false identification and false statement on loan application documents, false credit report, false W-2 form, false verification of employment, fake and falsified full set mortgage related documents, Plaintiff Sun-Ming Sheu's forged "Residential contract of sales" and Plaintiff Ming-Chien Hsu's forged "Power attorney " and conspired and cover up all the criminal behavior to steal Plaintiff's property in 45-14 158 Street, Flushing, NY 11358 at a phony closing conducted in 5/23/2000

Count 2

Violation of US Code Title 18, Chapter 47, § 1001

Statement or entries generally

- 1) falsifies, conceals, or covers up by any trick, scheme, or device a material fact;
 - (2) makes any materially false, fictitious, or fraudulent statement or representation;
 - or
 - (3) makes or uses any false writing or document knowing the same to contain any materially false, fictitious, or fraudulent statement or entry;
- shall be fined under this title or imprisoned not more than 5 years, or both.

3. Defendant's counsel Yakov Bohensky knew Wang, Jin Rong in the other closing, at that closing, Defendant provided the other loan to her, under her real name Wang, Jing-Rong. As part of conspiracy, Defendant's counsel Bohensky knowing "Amy Cheng" using a fake identity and fake NY Driver license, still willfully, intentionally and knowingly endorsed the 5/23/2000 phony closing and paid to Wang, Jin-Rong's husband and some other 3rd parties and kept some money for himself.

4. As part of conspiracy, Defendant's counsel Bohensky willfully, intentionally and knowingly paid criminal money to the following 3rd

Parties

Citi Mortgage \$10,125.00
Yuch Yeu Lin Weng \$10,000.00
Hua Jie Qiao \$22,000.00 (the fake identity buyer's husband)
Midwest Financial \$264,001.60, Jeffrey Ruan \$1000.00
WRE abstract/Old Republic Title insurance \$16,912.00

5 As part of conspiracy, Defendant's counsel Bohensky willfully, intentionally and knowingly pretended paid to Plaintiff Ming-Chien Hsu, but actually kept the money for himself. Check number # 2850 \$4112.60. The check never been cashed by Ming-Chien Hsu at all

6 As part of conspiracy, Defendant's consul Bohensky willfully, intentionally and knowingly endorsed the "straw buyer" Amy Cheng, using fake money order, fake official check, fake checks as "legitimate payment" at the 5/23/2000 phony closing to steal Plaintiff's Property..

7 As part of conspiracy, Defendant's counsel Bohensky willfully, intentionally and knowingly, fraudulent conveyance Plaintiff's Deed to the fake identity "Amy Cheng" at 5/23/2000 phony closing and Amy Cheng became the new owner of the property without paid any Penny of down payment or any penny of real money at the phony Closing.

Count 3

Violation of US Code Title 18, Chapter 47, § 1001

Statement or entries generally

- 1) falsifies, conceals, or covers up by any trick, scheme, or device a material fact;
 - (2) makes any materially false, fictitious, or fraudulent statement or representation;
 - or
 - (3) makes or uses any false writing or document knowing the same to contain any materially false, fictitious, or fraudulent statement or entry;
- shall be fined under this title or imprisoned not more than 5 years, or both.

8 Defendant's closing officer ,counsel unlawfully, willfully,

intentionally and knowingly false statement on HUD-1 Settlement

Statement, that required by Dept of Housing and Urban Development.

(A). There are no any \$30,000.00 contract deposit, but Defendant and

Defendant's counsel false statement on settlement statement showing

that the fake buyer was making a down payment when in fact she was not
at all(item201/501).

(B) Make payments outside of closing on the HUD-1, such as additional

fees paid to service providers, payment to "Absoulute Mortgage",

it actually paid by kick back from the other 3rd parties.(item 805)

(C) The "Place of Statement"(item H) was in

401 Broadway,NY,NY 10013,not in 2115 Avenue
O,Broklyn,NY 11210

Count 4

Violation of US code Titel 18,Chapter 79 § 1621.

Perjury (2.)in any declaration, certificate, verification, or statement under penalty of perjury as permitted under section 1746 of title 28, United States Code, willfully subscribes as true any material matter which he does not believe to be true;

9 Defendant's counsel unlawfully, willfully, intentionally and
Knowingly, pejure to certify HUD-1 'Settlement statement "and the
5/23/2000 phony closing was a "legitimate closing"
on the "Settlement instruction", Closing report.

- (A) Fisrt crime happened at 5/23/2000 phony closing,certified US Dept of Housing and Urban Develpoment HUD-1 Report and Closing report,total two reports. .
- (B) Second crime happened at 1/10/2001,certified the fake deed as legitimate deed to record Plaintiff's deed to the fake identityAmyCheng" in NY City Register..
- (C) Third crime committee by Defendant to false statement on certified affidavits, statements to apply "summary judgment.

Count 5

Violation of US Code Title 18, Chapter 47, § 1001

Statement or entries generally

- 1) falsifies, conceals, or covers up by any trick, scheme, or device a material fact;**
 - (2) makes any materially false, fictitious, or fraudulent statement or representation;**
 - or**
 - (3) makes or uses any false writing or document knowing the same to contain any materially false, fictitious, or fraudulent statement or entry;**
- shall be fined under this title or imprisoned not more than 5 years, or both.**

10 After spotted the crime, Plaintiffs filed complaint to NYPD and NY Manhattan District Attorney, then visited Defendant's counsel Bahensky in his home office in Brooklyn, presented NYPD incident report to him and requested him to stop record Plaintiff's deed to the "fake identity", "straw buyer" "Amy Cheng", Bohensky promised he will file report to Defendant's head office and NYPD, NY Manhattan District Attorney, but he never did it at all.

Plaintiff also contact Defendant's head office with collection Manager, foreclosure manager and sent NYPD incident report to them, strongly refused to accept any criminal money as our mortgage payment or accept any kind "paid off" by criminal money and requested them to file Criminal complaint as soon as possible and get stolen money back from all 3rd parties, but they never did any thing to stop crime at all.

Count 6

Violation of US code title 18, chapter 47, § 1021.

Title record

Whoever, being an officer or other person authorized by any law of the United States to record a conveyance of real property or any other instrument which by such law may be recorded, knowingly certifies falsely that such conveyance or instrument has or has not been recorded, shall be fined under this title or imprisoned not more than five years, or both.

11 Defendant unlawfully, willfully, intentionally and knowingly did combine, conspire, confederate with Old Republic Title Insurance to fraudulent conveyance to record Plaintiff's deed to the fake identity "Amy Cheng" in NY City Register in 1/10/2001. Due to Defendant's wrongdoing, Plaintiff loss the property's deed since 5/23/2000 to 4/23/2006, cause for Plaintiff loss credit and normal life.

12 Due to Defendant's misrepresentation, misconduct and wrongding, Plaintiff was forced to accept a Double debt, a "Equitable mortgage" judgment up to about \$450,000.00 on top of Plaintiff's debt with original lender and face foreclosure of the Property now.

Count 7

Violation of US Code 18,Section 1621

Whoever, (1) having taken an oath before a competent tribunal, officer, or person, on any case in which a law of the United States authorizes an oath to be administered, that he will testify, declare, depose, or certify truly, or that any written testimony, declaration, deposition, or certificate by him subscribed is true, willfully subscribes as true any material matter which he does not believe to be true; is guilty of perjury and shall... be fined no more than \$2,000 or imprisoned not more than five years, or both.

13 Defendant knowingly and intentionally false statement on Affidavits to apply "summary judgments" in NY Supreme court. The phony closing happened in 5/23/2000 . It was a crime,a fraud,but Defendant certified on affidavits as a "non-payment" mortgage, unlawfully, willfully, intentionally and knowingly filed false statement on all documents that submitted to the court about material facts of 5/23/2000 phony closing.

RELIEF

WHEREFORE, Plaintiffs, respectfully ask the Court to award judgment against Defendant:

1. Granting such further legal or equitable relief as the Court deems appropriate and just.
2. Awarding judgment against Defendant's unlawful wrongdoing, Compensatory damages \$2,600,000.00 as to each and every cause of action.
3. Punitive damages \$25,000,000.00

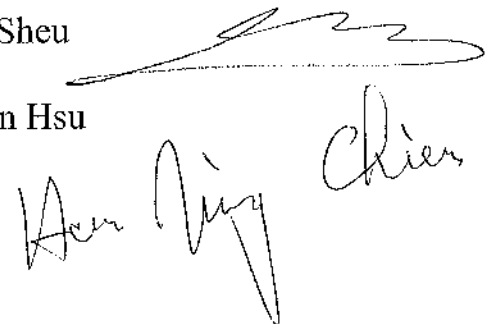
Plaintiffs

45-14 158 Street
Flushing, NY 11358
718-762-3619

5/15 2006.

Sun-Ming Sheu

Ming-Chien Hsu

The block contains two handwritten signatures. The first signature, for Sun-Ming Sheu, is a stylized, cursive script that appears to read 'Sun Ming'. The second signature, for Ming-Chien Hsu, is also in cursive and appears to read 'Ming Chien'.